

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10167 of 2017

Arising Out of PS.Case No. -70 Year- 2016 Thana -FATEHPUR District- GAYA

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1. Dinesh Yadav S/o Late Ram deo Yadav, Resident of Village-Tigachi,
P.S.-Fatehpur, District-Gaya

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sumeet Kumar Singh

For the Opposite Party/s : Mr. Sri Ajay Kumar -2

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 18-03-2017 Heard the parties.

The petitioner is apprehending his arrest in connection with Fatehpur P.S.Case No.70 of 2016 registered for offences punishable under Sections 272, 273 and 34 of the Indian Penal Code.

It is submitted on behalf of the petitioner that nothing has been recovered from the house of the petitioner rather the F.I.R. itself shows that the liquor has been recovered from the 'Badhar' of the petitioner and one of the co-accused, having similar allegation, has been granted privilege of the anticipatory bail, vide order dated 04.10.2016 passed in Cr. Misc. No.39347 of 2016.

Heard learned A.P.P. also.

Having heard both sides and in view of the fact that nothing



has been recovered from the house of the petitioner and the another co-accused has already been granted anticipatory bail by this court, as such let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of Sri Ramesh Kumar, learned Judicial Magistrate 1st Class, Gaya in connection with Fatehpur P.S.Case No.70 of 2016, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the investigation of the case and make himself available as and when required by the police, otherwise, the prosecution is free to move for cancellation of his bail.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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